

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VALVE CORPORATION,

Plaintiff,

v.

LEIGH ROTHSCHILD; ROTHSCHILD  
BROADCAST DISTRIBUTION  
SYSTEMS, LLC; DISPLAY  
TECHNOLOGIES, LLC; PATENT  
ASSET MANAGEMENT, LLC;  
MEYLER LEGAL, PLLC; and,  
SAMUEL MEYLER,

Defendants.

CASE NO. 23-cv-1016

ORDER

The parties jointly moved for leave permitting Plaintiff Valve Corporation to file its Second Amended Complaint, which the Court granted in part on January 11, 2024. Dkt. Nos. 33, 37. Plaintiff filed its Second Amended Complaint on January 16, 2024. Dkt. No. 38.

As the Court noted in its previous Order, “[a]s a general rule, when a plaintiff files an amended complaint, the amended complaint supercedes the original, the latter being treated thereafter as non-existent.” Dkt. No. 37 at 3

1 (quoting *Rhodes v. Robinson*, 621 F.3d 1002, 1005 (9th Cir. 2010) (citation omitted)).  
2 Here, Defendants have two pending motions to dismiss which relate to Plaintiff's  
3 Complaint and First Amended Complaint. Dkt. Nos. 18, 27. Additionally, Plaintiff's  
4 pending Motion to Seal relates to an exhibit attached to its First Amended  
5 Complaint. *See* Dkt. No. 24.

6 Because the Second Amended Complaint superseded the First Amended  
7 Complaint (which superseded the original Complaint), Defendants' pending motions  
8 are rendered moot. Dkt. No. 18 (Motion to Dismiss Complaint), Dkt. No. 27 (Motion  
9 to Dismiss First Amended Complaint). The same is also true of Plaintiff's pending  
10 Motion to Seal. Dkt. No. 24. Thus, the pending motions are DENIED without  
11 prejudice. Dkt. Nos. 18, 24, 27. The Court orders the Clerk to strike the documents  
12 associated with Plaintiff's motion to seal. *See* Dkt. No. 23-6. The parties may renew  
13 their motions per this Court's Order granting their stipulated motion. *See* Dkt. No.  
14 37 at 4.

15 It is so ORDERED.

16 Dated this 23rd day of January, 2024.

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20 Jamal N. Whitehead  
21 United States District Judge  
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